



**AGENDA OF THE REGULAR MEETING
OF THE PLANNING COMMISSION
CITY COMMISSION CHAMBERS, CITY HALL
THURSDAY, SEPTEMBER 24, 2009 - 3:30 P.M.**

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

APPROVAL OF THE AUGUST 20, 2009 MINUTES OF THE CITY OF LEESBURG
PLANNING COMMISSION MEETING

NEW BUSINESS

1. **PUBLIC HEARING CASE – CASE # 039-6-092409 – LEGACY OF LEESBURG –
UNIT 6 - LOTS 726-763 - VACATE**

REQUEST FOR A RECOMMENDATION TO THE CITY COMMISSION TO VACATE 38 RESIDENTIAL LOTS ON APPROXIMATELY 8.8 +/- ACRES OF UNUSED SINGLE FAMILY RESIDENTIAL LAND IN A PUD (PLANNED UNIT DEVELOPMENT) ZONING DISTRICT FOR A PROPERTY GENERALLY LOCATED EAST OF U.S HIGHWAY 27, SOUTH OF C.R. 48 OFF OF MEANDERING TRAILS BOULEVARD ON TUMBLEWOOD TRAIL AS LEGALLY DESCRIBED. SEC. 13, TWP. 20S, RGE. 24E. **(CITY COMMISSION DATES - 1ST READING ON OCTOBER 26, 2009 AND A 2ND READING ON NOVEMBER 9, 2009)**

2. **PUBLIC HEARING CASE – CASE # 036-1-092409 – JAY ALLEN – ICE HOUSE –
REZONING**

AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, REZONING OF APPROXIMATELY 1.26 +/- ACRES FROM CITY R-2 (MEDIUM DENSITY RESIDENTIAL) TO CITY SPUD (SMALL PLANNED UNIT DEVELOPMENT) TO ALLOW A SELF SERVICE ICE DISPENSER ALONG WITH THE EXISTING USES OF RESIDENTIAL AND OFFICE/VETERINARY CLINIC FOR A PROPERTY GENERALLY LOCATED ON THE SOUTH SIDE OF DIXIE AVENUE (SOUTH STREET) AND JUST EAST OF U.S. 27, AS LEGALLY DESCRIBED IN SECTION 26, TOWNSHIP 19S, RANGE 24E. **(CITY COMMISSION DATES - 1ST READING ON OCTOBER 26, 2009 AND A 2ND READING ON NOVEMBER 9, 2009)**

3. **PUBLIC HEARING CASE – CASE # 037-2-092409 – MEN OF DISTINCTION –
ADULT DAY CARE - CONDITIONAL USE PERMIT**

REQUEST FOR A RECOMMENDATION OF THE PLANNING COMMISSION, TO GRANT A CONDITIONAL USE PERMIT IN A R-2 (MEDIUM DENSITY RESIDENTIAL) DISTRICT FOR APPROXIMATELY 2 +/- ACRES TO ALLOW THE USE OF AN ADULT DAYCARE FOR A PROPERTY LOCATED ON THE SOUTH SIDE OF CENTER STREET, JUST WEST OF N. 14TH STREET AS LEGALLY DESCRIBED IN SECTION 22, TOWNSHIP 19S, RANGE 24E **(FINAL DECISION IS VOTED UPON BY THE PLANNING COMMISSION)**

4. **PUBLIC HEARING CASE – CASE # 040-2-092409 – SOUTHWINDS COVE –
CONDITIONAL USE PERMIT**

REQUEST FOR A RECOMMENDATION OF THE PLANNING COMMISSION, TO AMEND AN EXISTING CONDITIONAL USE PERMIT FOR APPROXIMATELY 19.55 +/- ACRES TO AMEND THE REQUIRED REAR SETBACK FROM 18 FEET TO 10

FEET TO ALLOW FOR REAR COVERED PORCHES FOR THE INDIVIDUAL TOWNHOMES FOR A PROPERTY LOCATED ON THE WEST SIDE OF SOUTH STREET JUST SOUTH OF W. MAIN STREET AS LEGALLY DESCRIBED IN SECTION 28, TOWNSHIP 19S, RANGE 24E **(FINAL DECISION IS VOTED UPON BY THE PLANNING COMMISSION)**

5. **PUBLIC HEARING CASE – CASE # 041-0-092409 – DCA REMEDIAL #1**
ORDINANCE REPEAL

REQUEST FOR A RECOMMENDATION OF THE PLANNING COMMISSION, TO RESCIND ELEVEN AMENDMENTS BY ORDINANCE, FROM 2006: BENDERSON 85, TRIANGLE LAKES, RB – 3; CARTER – NORMAN; FROM 2007: MUSSO SPENCE, LAFAYETTE SQUARE, LAKE COMMANDER PARK, HUNT, RENAISSANCE TRAILS, MERRITT, AND JANNEY, DUE TO LACK OF SUFFICIENT DATA AND ANALYSIS. PER RESOLUTION NO. 8434, ADOPTED EARLIER THIS YEAR, A SETTLEMENT AGREEMENT HAS NOW BEEN REACHED WITH THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS (DCA) REGARDING LARGE SCALE COMPREHENSIVE PLAN AMENDMENTS ADOPTED IN 2006 AND 2007 **(CITY COMMISSION DATES - 1st READING ON OCTOBER 12, 2009 AND A 2ND READING ON OCTOBER 26, 2009)**

6. **PUBLIC HEARING CASE – CASE # 042-0-092409 – DCA REMEDIAL #2**
TEXT AMENDMENT

REQUEST FOR A RECOMMENDATION OF THE PLANNING COMMISSION, TO AMEND THE COMPREHENSIVE PLAN GOALS, OBJECTIVES AND POLICIES RELATED TO POTABLE WATER SUPPLIES, ALTERNATIVE WATER SOURCES, REUSE WATER, AND WATER CONSERVATION, RESULTING FROM THE CITY'S 2009 UPDATE OF THE 10-YEAR WATER SUPPLY FACILITIES WORK PLAN. ADOPTING THESE TEXT AMENDMENTS ALLOWS SIX ADDITIONAL CASES FROM 2006 AND 2007 TO BE FOUND "IN COMPLIANCE", THEREBY AVOIDING RESCISSION. **(CITY COMMISSION DATES - 1st READING ON OCTOBER 12, 2009 AND A 2ND READING ON OCTOBER 26, 2009)**

7. **PUBLIC HEARING CASE # 034-3-082009 – NC LEESBURG (NORTH) –**
VARIANCE

A REQUEST OF THE PLANNING COMMISSION TO GRANT A VARIANCE TO ALLOW NON-CONFORMITIES CREATED BY THE FLORIDA DEPARTMENT OF TRANSPORTATION'S ACQUISITION OF A PORTION OF THE SUBJECT PROPERTY ALONG THE WEST SIDE OF U.S. HIGHWAY 441 (W. NORTH BOULEVARD) LOCATED ON THE NORTHERN CORNER OF CITIZENS BOULEVARD AND U.S. HIGHWAY 441 (W. NORTH BOULEVARD) AS LEGALLY DESCRIBED IN SECTION 23, TOWNSHIP 19S, RANGE 24E **(POSTPONED UNTIL THE OCTOBER 22ND PLANNING COMMISSION MEETING.)**

8. **PUBLIC HEARING CASE # 035-3-082009 – NC LEESBURG (SOUTH) –**
VARIANCE

A REQUEST OF THE PLANNING COMMISSION TO GRANT A VARIANCE TO ALLOW NON-CONFORMITIES CREATED BY THE FLORIDA DEPARTMENT OF TRANSPORTATION'S ACQUISITION OF A PORTION OF THE SUBJECT PROPERTY ALONG U.S. HIGHWAY 441 (W. NORTH BOULEVARD) ON THE WEST SIDE OF U.S. HIGHWAY 441 (W. NORTH BOULEVARD) JUST SOUTH OF CITIZENS BOULEVARD AS LEGALLY DESCRIBED IN SECTION 23, TOWNSHIP 19S, RANGE 24E

(POSTPONED UNTIL THE OCTOBER 22ND PLANNING COMMISSION MEETING.)

9. **PUBLIC HEARING CASE # 021-1-052109 – LEESBURG COMMERCE PARK – REZONING**

AN ORDINANCE OF THE CITY OF LEESBURG, FLORIDA, REZONING OF APPROXIMATELY 27 +/- ACRES FROM CITY M-1 (INDUSTRIAL) WITH A CUP (CONDITIONAL USE PERMIT) FOR A PUD (PLANNED UNIT DEVELOPMENT) TO CITY PUD (PLANNED UNIT DEVELOPMENT) TO CHANGE THE ACCESSES FOR A PROPERTY GENERALLY LOCATED ON THE NORTH SIDE OF W. MAIN STREET AND EAST OF C.R. 468, AS LEGALLY DESCRIBED IN SECTION 21 & 28, TOWNSHIP 19S, RANGE 24E **(POSTPONED UNTIL THE OCTOBER 22ND PLANNING COMMISSION MEETING.)**

10. **PUBLIC HEARING CASE – CASE # 038-6-092409 – RAMBO STREET – VACATE**

REQUEST FOR A RECOMMENDATION TO THE CITY COMMISSION TO VACATE APPROXIMATELY 1.139 +/- ACRES OF RAMBO STREET IN A CITY P (PUBLIC) ZONING DISTRICT TO PROHIBIT LOCAL THROUGH TRAFFIC FOR A PROPERTY GENERALLY LOCATED NORTH OF DIXIE AVENUE, SOUTH OF PINE STREET EAST OF CHILDS STREET AS LEGALLY DESCRIBED. SEC. 25, TWP. 19S, RGE. 24E. **(POSTPONED UNTIL THE OCTOBER 22ND PLANNING COMMISSION MEETING.)**

ANNOUNCEMENTS

1. **THE NEXT SCHEDULED MEETING OF THE LEESBURG PLANNING COMMISSION IS OCTOBER 22, 2009.**

ADJOURNMENT

NOTICE: "F.S.S. 286.01 PERSONS WITH DISABILITIES NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE HUMAN RESOURCES DEPARTMENT, ADA COORDINATOR, AT 352.728.9740, 48 HOURS IN ADVANCE OF THE MEETING.

F.S.S. 286.0105 – "If a person decides to appeal any decision made by the Commission with respect to any matter considered at this meeting, they will need a record of the proceedings, and that for such purpose they may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based." The City of Leesburg does not provide this verbatim record.